Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Wireless Telecommunications Bureau	§	
Requests Targeted Comment on	§	
Wireless E911 Phase II Automatic	§	**CC Docket No. 94-102**
Location Identification Requirements	§	

COMMENTS OF THE TEXAS OFFICE OF PUBLIC UTILITY COUNSEL

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I. INTRODUCTION

The Texas Office of Public Utility Counsel (TOPC) represents Texas residential and small business consumers in telephone proceedings before the Texas Public Utility Commission, the Federal Communications Commission (FCC), and in various state and federal courts. OPC submits these comments in response to the Wireless Telecommunications Bureau's Request for Targeted Comment on Wireless E911 Phase II Automatic Location Identification Requirements, CC Docket No. 94-102, June 1, 1999. TOPC appreciates the opportunity to comment on this issue because this FCC initiative has the potential to greatly influence the effectiveness of wireless 911 response.

TOPC recognizes the benefits of providing to consumers the most effective E911 service possible. However, TOPC urges the Commission to consider the costs associated with the implementation of the Automatic Location Information and insure that consumers receive the maximum benefits for the minimum costs.

II. COMMENTS

The Commission's rules governing Enhanced 911 (E911) services currently require that covered wireless carriers deploy Automatic Location Identification (ALI) as part of E911 service beginning October 1, 2001 provided certain conditions are met. Specifically, Section 20.18(e) of the Commission's rules require covered Commercial Mobil Radio Service (CRMS) carriers to provide all 911 calls with (ALI) to public safety answering points (PSAPs) with an accuracy of 125 meters and a confidence level of 67% using the Root Mean Square (RMS) methodology.[1]

TOPC supports the application of the RMS methodology to determine location accuracy. TOPC opposes the Circular Error Probability methodology because it gives a significantly lower weight to large location errors than the RMS methodology and those large location errors are significantly related with the value of emergency communications. In areas where location error is likely to be higher, the speed in the provision of emergency service tends to be lower.[2] As such, assigning less weight to observations with large errors would forestall efforts to minimize their effect and jeopardize increased efforts to save lives in areas that are more difficult to serve.

TOPC recommends the development of guidelines for the use of Phase I location information to validate and increase the accuracy of Phase II ALI that is provided to the PSAP. Phase I location information can be a valuable resource used to backup Phase II ALI requirements. In addition, TOPC does not believe that network-based and handset-

[1] Report and Order and Further NOPR. Released July 26, 1996.

based solutions are incompatible. Information provided by the cell carrying the 911 call is not a substitute for handset-based ALI but complementary to it. It is expected that an algorithm based on the joint probability distribution of both sources can increase the accuracy of the location.[3]

Also, TOPC supports easing restrictions of siting of wireless facilities because present siting restrictions make it more difficult to implement alternatives to handset-based ALI. A denser network of towers increases the accuracy of network-based ALI solutions.

Furthermore, TOPC supports an approach whereby the FCC grants waivers as necessary to permit the gradual implementation of ALI capable handsets. TOPC notes that low churn rates for certain users are a critical factor in implementing hand-based, ALI capable E911 services. TOPC would support education campaigns to inform customers about the benefits of replacing their non-capable ALI handsets and therefore leaves the decision to replace the handset to the final customer. This approach avoids rigid mandates for handset replacement that would increase the cost of providing the service. However, if a deadline for implementation were mandatory, TOPC would recommend extending implementation to five years after Phase II ALI requirements are in place.

Finally, TOPC supports the implementation of competitively and technologically neutral solutions. TOPC believes that existing competition among service providers,

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[2] FCC 99-96 Second Report and Order at ¶ 17-18.

[3] In mathematical terms $P(A \cup B) = P(A) + P(B) - P(A\ B)$. Since $P(A\ B)$ is expected to be smaller than either P(A) or P(B) then it is beneficial to account for both sources.

equipment manufacturers and software providers will insure a high level of innovation that takes advantage of technological developments in other industries such as computers and electronics.

Date: July 2, 1999

Respectfully submitted,

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